

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALAN TANNENBAUM, M.D., :
Plaintiff, :
v. : CIVIL ACTION NO. 03-1410
UNUM LIFE INSURANCE COMPANY OF :
AMERICA, *et al.*, :
Defendants. :

ORDER

AND NOW, this _____ day of June, 2010, upon consideration of the summary judgment motion of defendants Unum Life Insurance Company of America and Albert Einstein Healthcare Foundation (docket no. 46), the response filed by plaintiff Alan Tannenbaum, M.D., and defendants' reply thereto, **IT IS HEREBY ORDERED** that the motion is **GRANTED**. It is **FURTHER ORDERED** that:

- (1) Counts I and III of plaintiff's third amended complaint are **DISMISSED AS MOOT**;
- (2) **JUDGMENT** is entered in favor of defendants Unum Life Insurance Company of America and Albert Einstein Healthcare Foundation and against plaintiff Alan Tannenbaum, M.D., on Count II of plaintiff's third amended complaint;
- (3) This order is without prejudice to the right of the plaintiff to pursue a claim for attorney fees and costs; and
- (4) The Clerk shall **CLOSE** this case for statistical purposes.

s/ William H. Yohn Jr., Judge
William H. Yohn Jr., Judge